

Pleasure Playmates Inc.
235, 5701 17th Ave S.E
Calgary, Alberta Canada
T2A 0W3

Judge T. Rawls
U.S Courthouse
401 Courthouse Square
Alexandria, VA 22314

January 5, 2015

Dear Judge T. Rawls,

Regarding the report and recommendation for civil action no.1:14-cv-993-TSE-TRJ. Due to the fact that this report was issued on December 23, 2014, the day before the holidays started, we (Pleasure Playmates Inc.) have not received it until January 4, 2015 and are unable to respond with an objection in the 14 day time limit. We hope the courts understand the reason of our late filing and that you take our late objection into account. Below is our objection to this report and recommendation.

We have asked you (the court) to make its decision without prejudice towards us.

The court mentioned that it would take the letter that we sent on October 7, 2014 into consideration. We did not see any argument on our side from the court. On the report and recommendation that we received January 5, 2015 it plainly shows that our letter and attached documents that we sent on October 7, 2014 and October 31, 2014 were not even read or considered by the court. We attached the WIPO decision to the letter that we had sent which shows that the administrative proceedings with the order to transfer hushplaymates.com and callplaymates.com was irrelevant as we have never used those domain names to host any websites and they were expired way before the time of the proceedings with the WIPO. As well, it states in the courts report and recommendation that we did not conduct business as Pleasure Playmates Inc. prior to registering Pleasureplaymates.com as our domain name. Pleasureplaymates.com is a domain name that we had registered with our company Pleasure Playmates Inc. (P.P. Inc.) since 2009 when we established our business in Calgary, Alberta, Canada.

The arguments you have against us are false. For instance, Firstly, We don't operate at all in the United States for Playboy to be affected by us.

Secondly, Playboy does not have playmates trademarked in Canada another company called Playmates IP Limited does, so therefore when it comes to Canada which is the only place we operate. Playboy should

not have the right to the word playmates in Canada. How can you favor Playboy if we don't operate in the United States?

Thirdly, In Google's search engine pleasureplaymates.com is clearly listed as an independent escort agency only in Calgary, Alberta, Canada and could not be confused with playboy in anyway nor could we be using this domain name to gain customers or traffic on our website for this reason.

Playboy's trademark name playmate is not confusingly similar to pleasureplaymates.com and there is no evidence of their being any confusion.

Pleasureplaymates.com is not commonly used as any name associated with playboy at all.

It is plain to see and obvious that there is no fraud or deceit with the domain name pleasureplaymates.com towards playboy, especially when we are not even in business in the United States.

Playboy's trademark name playmate is not distinctive or famous as a trademarked company name, only their company name Playboy is.

It has never been our intention to divert customers from playboy's mark, we can't, were in Calgary, Alberta Canada. There is no way we could harm Playboy's mark, neither from commercial gain or with the intent to tarnish or disparage them, by creating a likelihood of confusion as to the source, sponsorship, affiliation, or any endorsement of the site, and there is no evidence of such things. Concerning the picture posted on our website with playboys magazine in it. Again, we are unaware of such a photo and we believe that it is fraudulent. Playboy has not submitted any evidence to the court that it is true.

No disrespect to the court but, we strongly feel that the court is being very bias with playboy's favor. None of the information we sent to the court was included in the report and recommendation sent to us, regarding the courts decision. Not even the hearing or the argument from the WIPO, which should be considered evidence on our behalf. There are dozens of companies using the word playmates in conjunction with additional words for their company's and domain names. For example: United, Insurance, Play, Mates, toy, Friends and more. These words can be used by corporations and the public. This is because the definitions of these words in the dictionary have multiple meanings and any word in the dictionary with multiple meanings should not be a subject to a trademark name. Playboy does not have the word Play trademark or the word Mates trademarked. They only have the word playmate trademarked.

There should not be any confusion with Playboy's trademark especially with a small company publically known independently in Calgary, Alberta, Canada where playboy does not even operate. Playboy only wants the domain name because it is a good name. Playboy has never gone after any of those other domain names that we mentioned in the last letter that we sent to the court. Playboy is being untruthful and practicing in bad faith. Playboy is in the magazine business as well as the porn industry exploiting

women to have sex for money on film. How can playboy claim this as wholesome girl next door image? How are we tarnishing their name? We are not associated with them nor are we in the same industry, we are only a legitimate licensed escort agency and there is no evidence of us showing any full nude photos on our website or evidence of prostitution.

Please read all the documents that we sent to you on October 7, 2014 and October 31, 2014 carefully including the WIPO decision, our WIPO argument and our defense arguments. If you no longer have these documents please let us know and we can resubmit them to you. We hope the court understands this matter has nothing to do with any infringement with playboy; playboy just wants the Domain name because it's a good name. Think about it, we are in a different country and there's dozens of different companies that use the word playmates around the world. The WIPO was fair and they dealt with these issues properly. They have already previously made the correct decision on this matter and we hope that the court does too.

Sincerely,

A handwritten signature in blue ink, appearing to read 'K. Melnyk', with a stylized flourish at the end.

K.Melnyk

Pleasure Playmates Inc. Management